

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Stephen Venditti et al.)	Confirmation No. 2730
)	
Application No.: 10/713,416)	Group Art Unit: 2161
)	
Filed: November 14, 2003)	Examiner: Etienne Pierre Leroux
)	
For: DATA ACCESS AND)	
RETRIEVAL MECHANISM)	

FILED ELECTRONICALLY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

A Notice of Allowability and Notice of Allowance and Fee(s) Due dated June 15, 2009, has been issued for the above-identified application. The issue fee and publication fee are being filed herewith.

In the Notice of Allowability, on page 2, the Examiner provided a statement of reasons for allowance. Applicant does not necessarily agree with the Examiner's asserted reasons why the claims patentably distinguish from the prior art. For example, Applicant does not necessarily agree with the Examiner's apparent assertion that the listed features are the only reason the claims are allowable over the prior art. Instead, Applicant submits that claims 1, 5, 7-17, 21, 23-33, 37, and 39-60 are patentably

distinguishable from the prior art at least because the prior art, either alone or in combination, fails to teach or suggest the recitations therein.

The Examiner's Statement of Reasons for Allowance might be construed to contain characterizations of the claims and the prior art with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization in the Examiner's Statement of Reasons for Allowance.

Please grant any extensions of time required to enter these Comments and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 4, 2009

By: 

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